

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TROY McCOY, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

NORTH STATE AVIATION, LLC,
NORTH STATE AVIATION
HOLDINGS, LLC, and NSA
HOLDINGS, INC., (f/k/a NSA
HOLDINGS, LLC),

Defendants.

Case No. 1:17-cv-00346-CCE-LPA

MOTION FOR
EXTENSION OF TIME

Defendant, North State Aviation Holdings, LLC, by and through its undersigned counsel, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, and with the consent of plaintiff's counsel, respectfully moves the Court for an Order extending the time within which it may answer, cross-claim, make any motions directed to the First and Second Amended Class Action Complaint, or otherwise respond to Plaintiff's First and Second Amended Class Action Complaint. In support of said Motion, the undersigned submits unto the Court as follows:

1. This action is brought by Plaintiff, Troy McCoy, individually and on behalf of all others similarly situated against defendant North State Aviation Holdings, LLC and

other defendants seeking relief under the federal Work Adjustment and Retraining Notification Act (the “WARN Act”), codified at 29, U.S.C. §2101 *et seq.*

2. Plaintiff’s original Complaint did not name North State Aviation Holdings, LLC as a defendant.

3. Plaintiff’s First Amended Complaint was served on North State Aviation Holdings, LLC on June 12, 2017; and a responsive pleading would be due on July 3, 2017.

4. Plaintiff filed a Second Amended Complaint on or about June 16, 2017, and North State Aviation Holdings, LLC was served on June 19, 2017. A responsive pleading would be due on or about July 10, 2017.

5. North State Aviation Holdings, LLC requires additional time in which to answer, cross-claim, make any motions directed to the First and Second Amended Class Action Complaint, or otherwise respond to Plaintiff’s First and Second Amended Class Action Complaint.

4. Pursuant to the Middle District of North Carolina Local Rules of Civil Procedure 6.1(a), the defendant North State Aviation Holdings, LLC has consulted with Plaintiff’s counsel, Jean Martin, regarding its Motion for Extension of Time; and Plaintiff’s counsel consents to said Motion.

5. Therefore, defendant North State Aviation Holdings, LLC, through its undersigned counsel, hereby moves the Court for a thirty (30) day extension of time through and including August 2, 2017, in which to answer, cross-claim, make any motions directed to the First and Second Amended Class Action Complaint, or otherwise respond to Plaintiff’s First and Second Amended Class Action Complaint.

This extension request is not for the purpose of delay but rather to afford North State Aviation Holdings, LLC additional time so that it may satisfactorily respond to Plaintiff's First and Second Amended Class Action Complaint and address certain matters raised by Plaintiff with respect to his claim.

Dated: June 22, 2017

Respectfully submitted,

/s/ Joseph T. Carruthers

JOSEPH T. CARRUTHERS

NC Bar No. 7649

/s/ Lee D. Denton

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Attorneys for Defendant

North State Aviation Holdings, LLC

CERTIFICATE OF SERVICE

I, Joseph T. Carruthers, hereby certify that on the 22st day of June, 2017, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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